

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 18-290
	)	
ELIJAH WINCHESTER	)	

**SENTENCING MEMORANDUM**

Mr. Elijah Winchester is scheduled to be sentenced by this Honorable Court on June 17, 2020 after pleading guilty to one count of possession of child pornography in violation of 18 U.S.C. §2252(a)(4)(B). At criminal history category 1, his advisory Guideline range after acceptance of responsibility is 135 to 168 months, although the maximum penalty the Court can impose is 10 years. For the reasons set forth below, the Court should sentence Mr. Winchester to 10 years imprisonment followed by 5 years of supervised release.

Mr. Winchester is presently 23 years old and has a minimal criminal history, having been adjudicated delinquent for a simple assault when he was 16 years old. He was 21 years old when he committed his instant offense. He understands the seriousness of his offense and has accepted responsibility for his actions in this case. He is also facing prosecution in the Beaver County Court of Common Pleas for an offense related to his possession charges in this case. If convicted, he is likely facing a substantial sentence and term of parole.

Unlike other child pornography possession cases, Mr. Winchester is not charged with collecting large numbers of photographs, nor is he charged with organizing them in any coherent manner. His offense was not the result of persistent or compulsive behavior. Accordingly, a longer term of supervised release is not required here, where Mr. Winchester will already be required to register as a sex offender and will be facing further supervisory conditions by the Commonwealth of Pennsylvania.

Accordingly, a maximum sentence of 10 years imprisonment, followed by a term of 5 years of supervised release is sufficient but not greater than necessary to satisfy the purposes of punishment in this case.

Respectfully submitted,

**s/ Andrew Lipson**

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